

**Public Safety Committee  
Regular Meeting  
Wednesday, February 3, 2021 at 6:00 p.m.**

*Due to County, State and Federal social distancing recommendations in response to COVID-19, this meeting is being held virtually. Committee members, applicants, and members of the public will be required to participate via the virtual format. To participate via video, go to this website: <https://meet.google.com/xtf-ayun-xwn>. To participate via phone, call this number: 475-222-5110 and enter PIN: 808 226 480# when prompted.*

**AGENDA**

1. Call to Order.
2. Roll Call.
3. Approval of Agenda.
4. Motion to approve the January 6, 2021 Public Safety regular meeting minutes.
5. Citizen appearances other than agenda items listed.
6. Old Business.
  - A. Discussion on 4-way stop at the intersection of E Main and Water St.
7. New Business.
  - A. Motion to approve the Original Operators License application(s) for: (approved by Police Chief Reese unless otherwise noted).
    - 1) Sawyer M Sendelbach
    - 2) Kari A Fehrenbacher
    - 3) Amber L Dienberg (not recommended)
  - B. Discussion with possible motion for updates to Animal Ordinance.
  - C. Discussion on K9 Officers and fundraising by Officer Schmidt and Officer Tway.
  - D. Discussion on resolution/ordinance guidelines for issuance of Alcohol Beverage Licensees in the City of Evansville.
  - E. Discussion on Boy Scout event at Lake Leota.
8. Evansville Emergency Medical Services Report.
9. Evansville Police Department Report.
10. Meeting Reminder: Next regular meeting scheduled for Wednesday, March 3, 2021 6:00 p.m.
11. Motion to adjourn.

**Dianne Duggan, Chairperson**

*Requests for persons with disabilities who need assistance to participate in this meeting should be made to the City Clerk's office by calling 608-882-2266 with as much advance notice as possible.*

*Please turn off all cell phones while the meeting is in session. Thank you.*



**City of Evansville Public Safety Committee  
Regular Meeting  
Wednesday, January 6, 2021 at 6:00 p.m.  
Meeting held virtually due to COVID-19 Guidelines**

**MINUTES**

- 1. Call to Order at 6:00 pm, by Dianne Duggan, Public Safety Chair.**
- 2. Roll Call. Members present:** Dianne Duggan, Bill Lathrop, and Erika Stuart. Others present: Police Chief Patrick Reese, EMS Chief Jamie Kessenich and Lieutenant Chris Jones, City Clerk Darnisha Haley and Deputy Clerk Leah Hurtley.
- 3. Motion to approve the agenda** by Duggan, seconded by Stuart. Approved unanimously.
- 4. Motion to waive the reading of the minutes from the December 2, 2020 regularly scheduled Public Safety Meeting minutes and approve them as printed** by Stuart, seconded by Duggan. Approved unanimously.
- 5. Citizen appearances other than agenda items listed.** None
- 6. Old Business.** Duggan asked if there was any more discussion on the 4 way stop. Patrick said they will discuss at the Department head meeting. Duggan asked it to be added to the February meeting.
- 7. New Business.**
- 8. Motion to approve the Original Operators License application(s) for: (approved by Police Chief Reese unless otherwise noted).**
  - 1) A motion was made by Stuart, seconded by Lathrop, to approve the Original Operators License applications for Emily Anders. Approved unanimously.
  - 2) Christina Judd (not recommended applicant from November 4, 2020 meeting). Ms. Judd was in attendance. Duggan asked why she didn't remember this incident but she did remember another event and reported it. Ms. Judd explained she didn't think she had to report it since it wasn't on c-capp. The violation was explained by Ms. Judd that there were underage people in her car consuming alcohol and she was driving them to Madison. Patrick said that he hadn't had any other issues with Ms. Judd. After much deliberation, a motion was made by Duggan, seconded by Stuart, to approve the Original Operators License applications for Christina Judd. Approved unanimously.
- 9. A Motion was made by Duggan, seconded by Lathrop to recommend to Common Council approval of the Original Alcohol Beverage License Application for a Class B Beer and Class C Wine License for: (approved by Police Chief Reese unless otherwise noted).**

Angel's Pizza LLC, Michael Barcena, Agent, 44 N Madison St, Evansville, WI 53536,  
d/b/a Marsala's Pizzeria, 18 E Main Street, Evansville, WI 53536.  
**Motion was approved unanimously.**
- 10. Evansville Emergency Medical Services Report.** Chief Kessenich shared her written monthly report covering the training, community outreach, updates in the department, staffing matters, and accreditation.
- 11. Evansville Police Department Report.** Chief Reese gave the written monthly report covering the training for officers, community outreach, updates in the department, staffing matters, and accreditation.
- 12. Meeting Reminder:** Next regular meeting scheduled for Wednesday, February 3, 2021 6:00 p.m.
- 13. Motion to adjourn** by Duggan, seconded by Lathrop at 6:46pm. Approved Unanimously.



CITY OF EVANSVILLE  
Operator's License Application

City Hall  
31 S. Madison St  
PO Box 76  
Evansville, WI 53536

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

First Sawyer Middle Matthew Last (as on your driver's license) Sendelbach Date of Birth \_\_\_\_\_

Address 349 South 5th St. Evansville WI 53536  
Street City State Zip Code

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
(If no current DL, Provide the Last Valid Driver's License No.)

*If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.*

- 1) In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
Yes  No  Original applications require a copy of either document.
- 2) Do you need to apply for a Provisional (60 Day) License?  
Yes  No  If yes, please enclose an additional \$15.00 fee
- 3) Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: \_\_\_\_\_
- 4) Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_
- 5) Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 03-20-98

Signature of Applicant: Sawyer Lemmon

For Office Use Only

Provisional License Receipt # 1.142969 Faxed \_\_\_\_\_ Initials SLA  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: SLA 1/27/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: 1/28/21 Date Approved: 1/28/21 Clerk Approval: SLA

Operator's License Receipt # 1.142875 Faxed \_\_\_\_\_ Initials SLA  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: SLA 1/14/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Public Safety Committee: Granted \_\_\_\_\_ Denied \_\_\_\_\_  
Reason for Denial: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_  
Signature/Date: \_\_\_\_\_ / \_\_\_\_\_





CITY OF EVANSVILLE  
Operator's License Application

City Hall  
31 S. Madison St  
PO Box 76  
Evansville, WI 53536

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

First Kari Middle Ann Last (as on your driver's license) Fehrenbacher Date of Birth \_\_\_\_\_

Address 16902 W Porter Rd Evansville WI 53536  
Street City State Zip Code

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
(If no current DL, Provide the Last Valid Driver's License No.)

*If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.*

- 1) In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
Yes  No  Original applications require a copy of either document.
- 2) Do you need to apply for a Provisional (60 Day) License?  
Yes  No  If yes, please enclose an additional \$15.00 fee
- 3) Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: \_\_\_\_\_
- 4) Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: 2013 cited unpaid parking ticket
- 5) Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 1/2/21 Signature of Applicant: Kan Jensen

**For Office Use Only**

Provisional License Receipt # \_\_\_\_\_ Faxed \_\_\_\_\_ Initials \_\_\_\_\_

Police: Recommend \_\_\_\_\_ Non-Recommend \_\_\_\_\_ Signature/Date: \_\_\_\_\_

Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Clerk Approval: \_\_\_\_\_

Operator's License Receipt # \_\_\_\_\_ Faxed \_\_\_\_\_ Initials \_\_\_\_\_

Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 1/14/21

Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Public Safety Committee: Granted \_\_\_\_\_ Denied \_\_\_\_\_

Reason for Denial: \_\_\_\_\_

Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_

Signature/Date: \_\_\_\_\_ / \_\_\_\_\_



CITY OF EVANSVILLE  
Operator's License Application

City Hall  
31 S. Madison St  
PO Box 76  
Evansville, WI 53536

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

Amber L Denberg Date of Birth \_\_\_\_\_  
First Middle Last (as on your driver's license)

Address 18 1/2 W Main St Evansville WI 53536  
Street City State Zip Code

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
(If no current DL, Provide the Last Valid Driver's License No.)

*If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.*

- In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
Yes  No  Original applications require a copy of either document.
- Do you need to apply for a Provisional (60 Day) License?  
Yes  No  If yes, please enclose an additional \$15.00 fee
- Have you ever been cited and/or convicted of **any felony or misdemeanor** in the State of Wisconsin or in the United States?  
Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: \_\_\_\_\_
- Within the last 10 years have you been cited and/or convicted of **violating any other law or ordinance** in the City of Evansville or State of Wisconsin?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: seat belt, driving w/o proof of insurance
- Within the last 10 years have you been cited and/or convicted of violating **any license law or ordinance** regulating the sale of fermented malt beverages or intoxicating liquors?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_



I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 11/4/20

Signature of Applicant: \_\_\_\_\_

----- For Office Use Only -----

**Provisional License** Receipt # \_\_\_\_\_ Faxed \_\_\_\_\_ Initials \_\_\_\_\_  
Police: Recommend \_\_\_\_\_ Non-Recommend  Signature/Date: [Signature] 11/07/21  
Reason for Non-Recommendation if Applicable: Severely Felony & Misdemeanors  
not disclosed on application.  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Clerk Approval: \_\_\_\_\_

**Operator's License** Receipt # \_\_\_\_\_ Faxed \_\_\_\_\_ Initials \_\_\_\_\_  
Police: Recommend \_\_\_\_\_ Non-Recommend  Signature/Date: [Signature] 11/07/21  
Reason for Non-Recommendation if Applicable: left off severely felony &  
Misdemeanors.

**Public Safety Committee:** Granted \_\_\_\_\_ Denied \_\_\_\_\_  
Reason for Denial: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_

Signature/Date: \_\_\_\_\_ / \_\_\_\_\_



City of Evansville

FILE COPY

[www.ci.evansville.wi.gov](http://www.ci.evansville.wi.gov)

31 S Madison St  
PO Box 529  
Evansville, WI 53536  
(608) 882-2266

January 7, 2021

Amber L Dienberg  
18 ½ W Main St  
Evansville WI 53536

Dear Amber:

This letter is notification of the Police Departments' non-recommendation for issuance of your provisional/operator's license possibly due to misstatements and/or omissions on your application.

Final action will be taken by the Public Safety Committee at their next virtual meeting on Wednesday, February 3, 2021 at 6:00 p.m. This meeting is open to the public and I would encourage you to attend so that you can respond to questions regarding violations on your application before they make a final decision to grant or deny your license. To participate via video, go to this website: <https://meet.google.com/xtf-ayun-xwn>. To participate via phone, call this number: 475-222-5110 and enter PIN: 808 226 480# when prompted.

If you have any questions please feel free to contact me at 608-882-2266.

Sincerely,

Darnisha Haley  
City Clerk

cc: Dianne Duggan  
Public Safety Chairperson  
Patrick Reese, Police Chief

Chapter 14

**ANIMALS<sup>1</sup>**

**ARTICLE I. IN GENERAL**

- Sec. 14-1. Definitions.**
- Sec. 14-2. Excessive Animal Hoarding, Sheltering and Ownership.**
- Sec. 14-3. Running at large.**
- Sec. 14-4. Animals not permitted on school grounds.**
- Sec. 14-5. Unattended animals in standing or parked vehicles – Authority to remove – Liability for Removal**
- Sec. 14-6. Confinement and observation of animals biting person.**
- Sec. 14-7. Declaration of vicious animal.**
- Sec. 14-8. Disturbing the peace prohibited.**
- Sec. 14-9. Animals as gifts.**
- Sec. 14-10. Carcasses**
- Secs. 14-11--14-30. Reserved.**

**ARTICLE II. DOGS AND CATS**

- Sec. 14-31. License.**
- Sec. 14-32. Applicability of state law.**
- Sec. 14-33. Harboring certain dogs prohibited.**
- Sec. 14-34. Reserved.**
- Sec. 14-35. Removal of waste deposited on public or private property.**
- Secs. 14-36 - -14-39. Reserved.**

**ARTICLE III. EXOTIC ANIMALS**

- Sec. 14- 40. Licensing requirements.**
- Sec. 14- 41. Providing registration information to relevant personnel.**
- Sec. 14- 42. Prohibited animals.**
- Sec. 14- 43. Prohibited animals enumerated.**
- Sec. 14- 44. Owner to report escape of Exotic Animals.**
- Secs. 14-45 - -14-49. Reserved.**

**ARTICLE IV. CRUELTY TO ANIMALS AND RELATED OFFENSES**

- Sec. 14-50. Cruelty to animals generally.**
- Sec. 14-51. Reserved**
- Sec. 14-52. Humane care of animals.**
- Sec. 14-53. Poisoning of Pets.**
- Sec. 14-54. Instigating or allowing fights between animals.**
- Sec. 14-55. Injured or ill animals.**

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<sup>1</sup> **Cross references:** Environment, ch. 46; health and sanitation, ch. 58; agricultural district one (A-1), § 130-701 et seq.; agricultural district two (A-2), § 130-721 et seq.; agricultural district three (A-3), § 130-741 et seq.

Secs. 14-56 - -14-59. Reserved.

## ARTICLE V. COMMERCIAL ANIMAL ESTABLISHMENTS.

Sec. 14-60. Permit Required.

Sec. 14-61. Operation of Commercial Animal Establishments.

## ARTICLE VI. ENFORCEMENT

Sec. 14-62. Penalties for violations of Chapter 14.

## ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

1. **Animal:** means any multicellular organism under the scientific kingdom classification of Animalia.
2. **Animal control officer:** means any person appointed by the City to act as animal control officer of the City or any police officer.
3. **Commercial Animal Establishment:** means an establishment that:
  - a. Bathes, clips, plucks, or otherwise grooms animals, not their own;
  - b. Breeds, boards, or buys;
  - c. Sells or donates more than 10 animals per calendar year;
  - d. Trains, or sports animals; or
  - e. Displays or exhibits animal
4. **Cat:** a small domesticated carnivore, *Felis domestica* or *F. catus*, bred in a number of varieties.
5. **Dog:** a domesticated canid, *Canis familiaris*, bred in many varieties.
6. **Domestic Pet.** means an animal that has been traditionally tamed and kept by humans as a service animal, or pet such as birds (i.e. caged birds such as parakeets, finches, macaws, and typically caged birds); small caged animals like hamsters, ferrets, sugar gliders, chinchillas, pet rats and gerbils; fish, but does not include Dogs or Cats.
7. **Exotic Animal.** Means any animal which is kept within the city limits by a person, and does not meet the definition provided under Domestic Pet and is not a dog or cat.
8. **Feral:** existing in a natural state, not domesticated, or having reverted to the wild state, as from domestication; or characteristic of wild animals; ferocious; brutal.
9. **Owner:** means any person owning, keeping, harboring, temporarily taking care of, or having under their control one or more Pet.
10. **Pet:** means all animals which are kept or cared for within the city limits by a person and including Exotic Animals, Domestic Pets, Dogs or Cats.
11. **Pet Boarding Facility:** means the cages maintained by the Evansville Police Department, the Rock County Humane Society, or any private entity that conducts business as a kennel and contracts with the Evansville Police Department for boarding Pets.
12. **Running at Large:** means that an animal is off the owner's premises, or on a public right of way on the owner's premises, and is not under the control of the owner or some other person.
13. **Service Animal:** Any pet or animal under an owner's care that is to provide support to the owner due to blindness, deafness, lack of mobility or other diagnosable mental and physical conditions.

**14. Unkempt:** means that the animal appears to be neglected, or is in poor health due to lack of food, dehydration, or untreated injuries.

**15. Vicious:** means that the Pet has been declared vicious pursuant to section 14-7.  
(Ord. 2020-05)

**Sec. 14-2. Excessive Animal Hoarding, Sheltering and Ownership.**

1. No property owner shall make or allow such use of property or harbor animals in a manner that creates one of the following violations:
  - a. Neglect of the Animals – The number of animals located at the property causing violations of 14-50 and/or 14-52 can be enforced under this provision.
  - b. Unsanitary Conditions for Humans –The location and/or number of animals cause or reasonably may cause health consequences to an individual or community such as, but not limited to, infectious bites or scratches to neighborhood children, Toxoplasmosis, asthma triggering caused by excessive urine, Leptospirosis, hookworms, Psittacosis, Lymphocytic Choriomeningitis Virus, Brucellosis, Scabies, Cryptosporidiosis, tape worms, insect infestation and rabies.
  - c. Unsanitary Conditions for Animals – The number of animals in relation to the space available and/or care provided could cause the spread of distemper, ring worm, flea anemia, Toxoplasmosis, asthma triggering caused by excessive urine, Leptospirosis, hookworms, Psittacosis, Lymphocytic Choriomeningitis Virus, Brucellosis, Scabies, Cryptosporidiosis, tape worms, insect infestation, rabies and other unsanitary conditions.
  - d. Harboring or Attracting Feral and Stray Animals –The property owner’s actions or allowance of such actions on their property creates a harbor for feral and/or stray animals by the creation of feeding stations, leaving the premises open for animals to freely leave and return or not properly containing their refuse.
  - e. Shelters –Evansville ordinances allow animal shelters to be permitted under proper licensing and zoning requirements. Shelters that are temporary, non-profit and commercial must be properly licensed, zoned, and maintained so that they do not violate any other section of the municipal code. This sub-section excludes family/friends or volunteers of non-profit shelters watching an animal temporarily unless a separate violation of this Chapter occurs. If a separate violation occurs then this section may be enforced without exception.
  - f. Noise Disturbance – Violation of ordinance 14-8 and/or ~~82-161~~ 14-33(3)
  - g. Property Maintenance and Nuisance – Violations of any ordinances pertaining to the maintenance and care of properties caused by the number of animals or causes the attraction of animals that may result a public nuisance.
2. Any property owner creating or allowing such a violation shall be responsible for the humane disposal or placement of the animals to the extent the property is no longer in violation of local ordinances.  
(Ord. 2020-05)

**Sec. 14-3. Running at large.**

1. No person having in his possession or under his control any animal shall allow the animal to run at large within the city.
2. *Impoundment authorized.* The police department or any other officer appointed by the City shall attempt to apprehend any animal running at large within the city or any dog or cat which does any of the things prohibited under section 14-31(3). The animal may be



held at the police department or other location approved by the police department for a period of 1 day or such additional time as the chief of police may determine. If the police department is unable to identify the owner of the animal; or the owner of the animal fails to respond to the police department; or pay the fees and charges the animal may be transferred to a veterinary clinic or animal boarding facility for the duration of the holding period at the expense of the owner.

3. *Fees and charges.* The owner shall be responsible for the expense of all fees and charges for apprehension, impoundment, transport, veterinary care, quarantine, observation, and examination of the animal and may be subject to a forfeiture as provided in section 1-11. Fees and charges shall be as established by the council from time to time by resolution.
4. *Release to owner.* An animal may be returned to its owner upon proof that the owner has either resolved, or enrolled the animal in training to resolve, the reason the animal was impounded, completion of any required quarantine period, and payment of the fees and charges. If after seven (7) days from the date the animal was impounded or five (5) days after the expiration of the quarantined period, whichever is longer, the owner does not claim the animal and pay the fees and charges, ownership of the animal will be relinquished. The chief of police, instead of having the animal destroyed, may authorize the Rock County Humane Society or another non-profit organization to place the animal for adoption.

(Code 1986, § 11.04(1), Ord. 2012-22, Ord. 2015-01, Ord. 2016-18)

**Sec. 14-4. Animals not permitted on school grounds.**

No owner shall permit their Pet to be upon any school property except upon express permission of the school principal or their designee, except when a dog is participating in an organized event or activity. This does not include animals that would otherwise be considered Service Animals.

**Sec. 14-5. Unattended animals in standing or parked vehicles – Authority to remove – Liability for Removal.**

No person may leave a Pet unattended in a standing or parked vehicle in a manner that endanger the health or safety of such animal. If a Pet is found in a standing or parked vehicle, and the health and safety of the animal appears to be endangered, any animal control officer or police officer may use reasonable force to remove such animal. Removal of an unattended animal by an animal control officer or police officer shall not constitute an offense. Prior to the use of reasonable force the animal control officer or police officer shall attempt to contact the owner or operator of the vehicle.

**Sec. 14-6. Confinement and observation of Pets biting person.**

1. Any Pet known to have bitten any person shall be immediately seized by a police officer of the city and reported at once to the county health department for observation and attention. Such Pet shall be placed in an isolation facility for observation for ten days or such additional period as the officer may require under Wis. Stats. § 95.21, at the expense of the owner.
2. If the Pet has not been seized, the owner shall, on demand of the person bitten, a police officer or the county health department, immediately deliver such Pet to an isolation facility to be held for ten days for observation at the expense of the owner.

3. The individual or entity that takes responsibility for completing the quarantine of a Pet shall report at the end of such observation without delay to the county health department by telephone and confirmed in writing all reports required by law under Wis. Ch 95 regarding the quarantine.
4. Any person who refuses or fails to deliver such Pet as required shall be subject to a forfeiture as provided in section 1-11.
5. If after five days or such additional time as the chief of police in his discretion may deem advisable following such ten-day observation period, the owner does not claim such animal and pay the cost of keeping such animal, such officer shall dispose of the animal in a proper and humane manner. The chief of police, instead of destroying such animal, may authorize the Rock County Humane Society or another non-profit organization to place the Pet for adoption.
6. If the Pet is a dog or cat and the person has proof of current rabies vaccination, the isolation may be conducted within the owner's home in compliance with Wisconsin statutes.

(Code 1986, § 11.04(4), (5), Ord. 2012-22, 2015-01)

**Sec. 14-7. Declaration of vicious animal.**

The owner of a vicious animal must remove the animal from City limits or have the animal humanely disposed. An animal may be declared to be a vicious animal by at least two persons employed as a police officer, animal control officer, veterinarian, or the attending physician of a victim of an animal bite or scratch. In making such a declaration the individuals shall consider an animal to be vicious if:

1. An animal which, in a vicious or aggressive manner, approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a person or other animal upon the streets, sidewalks or any public grounds, parks or places; or
2. An animal, while on private property, approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a postal worker, meter reader, service person, journeyman, delivery person, or another person or animal that are on the private property with the consent of the owner or occupant of the private property.
3. No animal may be declared vicious if the injury or damage is sustained to any person or animal who is committing a willful trespass or is not authorized to be upon the premises occupied by the owner of the animal, or who is teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime.
4. The following factors may also be considered in making a determination of viciousness.
  - a. The nature or severity of the attack or bite.
  - b. Whether the animal has shown a propensity to display dangerously aggressive behavior and is able or likely to inflict injury to another animal or person.
  - c. Previous incidents of a similar nature.

**Sec. 14-8. Disturbing the peace prohibited.**

No person may keep a Pet which disturbs the peace by loud or unusual noises at any time of the day or night.

**Sec. 14-9. Animals as prizes.**

No Person or entity shall offer as a prize or give away any animal, except a small fish in a plastic bag with enough water for the fish to easily move around, in a contest, raffle or lottery, as an enticement to enter any place of business, or to exploit any animal for the purpose of fundraising.

**Sec. 14-10. Carcasses**

Carcasses of Pets shall be buried or otherwise disposed of in a sanitary manner within 24 hours after death.

**Secs. 14-11--14-30. Reserved.**

**ARTICLE II. DOGS AND CATS**

**Sec. 14-31. License.**

1. *Required.* Every person residing in the city who owns a dog or cat which is more than five months of age on January 1 of any year or five months of age within the license year shall, on or before the date the dog or cat becomes five months of age, and annually thereafter, pay the dog or cat license fee and obtain a license therefore.
2. *Fees.* Such owner shall pay to the city clerk/treasurer the amount as established by the council from time to time by resolution. The owner of any dog or cat who fails to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of a licensable dog or cat, or fails to obtain a license on or before the dog or cat reaches licensable age shall pay an additional late fee as established by the council from time to time by resolution and be subject to further penalties pursuant to section 14-62.
3. *Issuance; tag.* Upon payment to the city clerk-treasurer of the required fee, the clerk-treasurer shall issue to such person a license and tag bearing a serial number in the form prescribed by Wis. Stats. § 174.07, to keep such dog or cat for the license year. The owner shall upon procuring the license place upon the dog or cat a collar and shall securely attach and keep attached the tag furnished to him by the city clerk-treasurer to the collar as required by Wis. Stats. § 174.07. If the owner desires or the animal cannot wear a collar and tag, a micro-chip may be implanted so long as the information is place on file with the City. No license shall be issued under this article for any dog or cat unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog or cat is currently immunized against rabies and distemper. The owner shall attach the rabies vaccination tag to a collar, which shall be kept on the dog or cat at all times, but this requirement does not apply to a dog or cat during competition or training, to a dog while hunting, to a dog or cat securely confined indoors, to a dog or cat securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner, as required by Wis. Stats. § 95.21(2)(f).
4. Every Pet specially trained to lead blind or deaf persons, designated as a service animal to the owner by a licensed medical health professional, or to provide support for mobility-impaired persons is exempt from the license fee.

(Code 1986, § 12.03(7))

(Code 1986, § 12.03(1)--(3); Ord. No. 2000-8, § 1(12.03(2)), 4-11-2000, 2015-01)

**Sec. 14-32. Applicability of state law.**

The provisions of Wis. Stats. ch. 174 and Wis. Stats. § 95.21, except for imprisonment penalties imposed are hereby adopted and by reference made a part of this chapter as if fully set forth herein.. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited under this Code. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made part of this Code.

(Code 1986, § 12.03(4))

**Sec. 14-33. Harboring certain dogs or cats prohibited.**

No person shall possess, harbor or keep any animal which:

1. Habitually pursues any vehicles upon any public street, alley or highway.
2. Which has been declared vicious.
3. Habitually makes noise to the annoyance of any two or more other persons.
4. Is required to be licensed, but is not.
5. Does not have a valid license tag and current rabies vaccination tag attached to a collar which is kept on the dog or cat whenever the dog or cat is outdoors and not securely confined in a fenced area.

(Code 1986, § 12.03(6))

**Sec. 14-34. Reserved.**

**Sec. 14-35. Removal of waste deposited on public or private property.**

(a) *Removal required.* Any person owning or having control of a dog on property, public or private, which property is not owned or occupied by such person, shall promptly remove excrement left by such dog and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by the person.

(b) *Possession of means of removal required.* Any person causing or permitting a dog to be on any property, public or private, which property is not owned or occupied by such person, shall have in his immediate possession a device or object suitable for removal of the excrement and a depository for the transmission of the excrement to property owned or occupied by the person.

(c) *Penalty.* Any person who fails to comply with any of the provisions of this section shall be issued a warning for the first offense and, upon conviction thereafter, shall be subject to punishment as provided in section 1-11.

(Code 1986, § 12.03(10))

**Secs. 14-36 - - 14.39. Reserved**

**ARTICLE III. EXOTIC ANIMALS**

**Sec. 14- 40. Licensing requirements.**

Any person who resides within the City limits and is the owner of an Exotic Animal which is within the City limits, shall license the Exotic Animal with the city clerk. Every person

residing in the city who owns an Exotic Animal on January 1 of any year or within 30 days of acquiring ownership shall annually and thereafter obtain a license.

Such owner shall pay to the city clerk/treasurer the amount as established by the council from time to time by resolution. The owner of any Exotic Animal who fails to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of an Exotic Animal shall pay an additional late fee as established by the council from time to time by resolution and be subject to further penalties pursuant to section 14-62.

**Sec. 14- 41. Providing registration information to relevant personnel.**

The city clerk shall provide copies of all Exotic Animal registrations to the police department and other emergency rescue personnel which may have reason to enter the premises where wild animals are present for purposes of rescue operations resulting from a natural disaster or personal emergency.

**Sec. 14- 42. Prohibited animals**

It shall be unlawful for any person to keep maintain or have in their possession or under their control within the City any poisonous reptile or other dangerous animal, hybrid animal, carnivorous wild animal or reptile, vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious, or dangerous propensities. Short term educational exhibits are exempt from this provision.

**Sec. 14- 43. Prohibited animals enumerated.**

1. In addition to the prohibition in section 14 – 42, it shall be unlawful for any person to keep, maintain or have in their possession or under their control within the City any of the following animals:
  - a. Any animal which has been declared to be protected or endangered by the U.S. Department of Interior;
  - b. All poisonous animals, including snakes; that upon touch or bite may cause hallucinations, alter cardiopulmonary functions, or even death.
  - c. Badgers;
  - d. Bears
  - e. Beavers
  - f. Canids (such as: wolves, foxes, coyotes, jackals, dingoes, or raccoon dogs);
  - g. Civet;
  - h. Constrictor snakes above six (6) feet in length
  - i. Crocodilian (such as: Alligators, crocodiles, or caimans);
  - j. Falconiformes (such as: eagles, hawks, owls, or falcons) except falcons and hawks in the possession of a state or federally licensed handler;
  - k. Edentata (such as: anteaters, tamaduas, sloths, or armadillos);
  - l. Emus
  - m. Felids (such as: lions, tigers, leopards, cheetahs, jaguars, pumas, lynx, ocelots, or bobcats);
  - n. Game cocks and other fighting birds;
  - o. Hyenas



- p. Marsupials (such as: opossums, Tasmanian wolf, kangaroos, koalas, or wombats);
- q. Muskrats
- r. Ostriches
- s. Porcupine
- t. Primates (such as: apes, monkeys, baboons, chimpanzees, gibbons, gorillas, orangutans, siamangs.)
- u. Procyonids (such as: raccoons, coatis, kinkajous, ring-tailed cats, or pandas)
- v. Rheas;
- w. Skunks;
- x. Squirrels;
- y. Sharks;
- z. Ungulates (such as: elephants, zebra, tapirs, rhinoceroses, camel, llama, caribou, antelope, bison, reindeer, deer, giraffe, hippopotamus, wild boar, gazelle, or gnu);
- aa. Water buffalo;
- bb. Wart hogs;
- cc. Weasels;
- dd. Wolverines;
- ee. Woodchucks; or
- ff. Any other dangerous animal.

**Sec. 14- 44. Owner to report escape of Exotic Animal.**

The owner or keeper of any Exotic Animal that escapes from their custody or control shall within one hour after they discover or reasonably should have discovered the escape, report it to a law enforcement officer of the City and the County Sheriff where the escape occurred.

**Secs. 14-45 - - 14-49. Reserved**

**ARTICLE IV. CRUELTY TO ANIMALS AND RELATED OFFENSES**

**Sec. 14-50. Cruelty to animals generally.**

No Person shall beat, torture, or injure any animal, nor overload any working animal, nor shall any person abuse, mistreat or neglect any such animal.

**Sec. 14.51. Reserved**

**Sec. 14-52. Humane care of animals.**

All persons keeping, possessing and/or in control of an animal shall provide the animal with sufficient food and water, proper shelter, humane care and treatment and veterinary care when needed to prevent suffering. No person shall mistreat any animal nor shall any animal be abandoned. An owner may take an animal they no longer desire to care for to an Animal Shelter licensed by the State of Wisconsin.

**Sec. 14-53. Poisoning of Pets.**

It shall be unlawful for any person to administer or cause to be administered a substance which they knew or should have known was a poison of any sort whatsoever to any Pet, or to place any poison or poisoned food where the same is accessible to any Pet.

**Sec. 14-54. Instigating or allowing fights between animals.**

No person shall engage in or allow any fighting between animals of any kind upon their premises or premises in their possession or under their control in the City. No person shall keep any house, pit, or other place to be used in permitting fights between animals. No person shall instigate or encourage any animal to attack, bite, wound, or worry another animal for any bet, stake, reward or entertainment.

**Sec. 14-55. Injured or ill animals.**

Whenever an animal control officer encounters a stray animal suffering pain, the animal control officer may take the animal to a veterinarian where the cost of any care or treatment shall be borne by the owner of the animal. If ownership of the animal cannot be determined, the animal control officer shall impound the animal for five days unless it appears that a longer impoundment will lead to identification of the owner. If the owner cannot be located the animal may be disposed of by humane means without notice.

**Secs. 14-56 - - 14-59. Reserved.**

**ARTICLE V. COMMERCIAL ANIMAL ESTABLISHMENTS.**

**Sec. 14-60. Permit Required.**

No Person or entity shall operate a commercial animal establishment without first obtaining a permit. An application for a commercial animal establishment permit shall be made to the city clerk, and the applicant shall pay a fee prior to the city clerk issuing a commercial animal establishment permit. No permit shall be granted without an inspection of the premises to determine compliance with this Code and state law. The permit shall be issued for one year, commencing on January 1 of each year. Renewal applications for permits shall be made 30 days prior to and up to 30 days after the start of the calendar year. If there is a change of ownership of a commercial animal establishment, the new owner shall obtain a permit.

**Sec. 14-61. Operation of Commercial Animal Establishments.**

Every Commercial Animal Establishment:

1. Shall be maintained in a clean and sanitary condition and not to allow any refuse or waste material to accumulate.
2. Shall have impervious, smooth and cleanable floors.
3. Shall post its permit in a conspicuous place open to the public.
4. Shall isolate and treat any animal in its possession which has any disease, injure, or abnormality and may not sell such animal without full disclosure to the buyer of the condition of the animal.

5. Shall furnish the buyer of any animal, except fish, with a written statement of sale showing the date of sale, approximate age of the animal, immunization and medication type and date administered, and the names of both the seller and buyer.
6. Shall take measures to limit the potential creation of a noise nuisance and take measures to mitigate the actual noise at the establishment or premise.
7. A violation of this chapter shall be cause for revocation of the Commercial Animal Establishment Permit.  
(Ord. 2020-05)

## **ARTICLE VI. ENFORCEMENT**

### **Sec. 14-62. Penalties for violations of Chapter 14.**

Any person who shall violate any section within this chapter is subject to the penalties set forth in section 1-11 of the City ordinances, in addition to any other remedies or sanctions stated with this Chapter

**CITY OF EVANSVILLE  
ORDINANCE #2021-XX**

**AMENDING CHAPTER 6 – ALCOHOL BEVERAGES**

The Common Council of the City of Evansville, Rock County, Wisconsin, amend Evansville Municipal Code Chapter 6 as follows:

\*\*\*\*\*

Chapter 6

**ARTICLE II. LICENSES AND PERMITS**

DIVISION 1 – GENERALLY

**Sec. 6-33. Filing of list of licensees with state department of revenue.**

By July 15 of each year, the clerk-~~treasurer~~ shall forward to the state department of revenue a list containing the name, address and trade name of each person holding a license issued under this division, except a picnic, manager's or operator's license.  
(Code 1986, § 12.04(5)(d))

**Sec. 6-34. Consent of applicant to future regulations and amendments.**

By filing the application for a class A, B or C license under this division, the applicant consents that the council may make any rule or regulation or alteration or amendment to this chapter at any time during the period for which such license is granted.  
(Code 1986, § 12.04(5)(e)1)

**Sec. 6-35. Restrictions on issuance of class A licenses.**

(a) The number of "class A" intoxicating liquor licenses which may be issued to persons or premises in the city is limited to one (1) for each seven-hundred (700) population in the city as defined by Wis. Stats. § 125.51(4). An application for a "class A" liquor license shall not be favored or disfavored because the applicant already has been granted a class "A" fermented malt beverage license.

(b) A class "A" fermented malt beverage license may be granted separately from or in conjunction with a granting of a "class A" intoxicating liquor license. The number of class "A" fermented malt beverage licenses the city may issue is subject only to the applicable limit under state law, if any.  
(Code 1986, § 12.04(5)(e)2, 3, Ord. 2006-7, Ord. 2012-11)

**Sec. 6-36. Standards for issuance; license quota for class B licenses.**

(a) *Location of premises.*

(1) No retail class A or B license shall be issued for premises the main entrance of which is less than three hundred (300) feet from the main entrance of any established public school, parochial school, hospital or church, except that this prohibition may be waived by a majority vote of the common council. Such distance shall be measured by the shortest route along the ~~highway~~ roadway from the closest point of the main entrance of such school, church or hospital to the main entrance of such premises.

(2) This subsection shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to the occupation of real property within three hundred (300) feet thereof by any school, hospital or church building.

(3) This subsection shall not apply to a restaurant located within three hundred (300) feet of a church or school. This paragraph applies only to restaurants in which the sale of alcohol beverages accounts for less than fifty (50%) percent of their gross receipts.

(b) *Issuance to violators of liquor, beer or wine laws or ordinances.* No retail class A, B or C license shall be issued to any person who has been convicted of a violation of any federal or state liquor or fermented malt beverage law or wine law or the provisions of this division, section 6-1 or section 6-2 during one year prior to such application. A conviction of a member of a partnership or the partnership itself shall make the partnership or any member thereof ineligible for such license for one year.

(c) *Health, safety and sanitation requirements.* No retail class A, B or C license shall be issued for any premises which do not conform to the sanitary, safety and health requirements of the state department of industry, labor and human relations pertaining to buildings and plumbing, to the rules and regulations of the state department of health and family services applicable to restaurants, and all such ordinances and regulations adopted by the city.

(d) *License quota.*

(1) *Class "B" fermented malt beverages license.*

a. The number of persons and places that may be granted a class "B" fermented malt beverage license under this division is limited to one (1) for each four hundred (400) population in the city, as defined by Wis. Stats. § 125.51(4).

b. The city council may grant a class "B" fermented malt beverage license, as defined in Wis. Stats. ch. 125, to any restaurant that will agree in writing to the following conditions:

1. Fermented malt beverages will only be served for consumption on the premises (no carryouts).
2. Fermented malt beverages will not be served in the original containers.
3. Fermented malt beverages will only be served in open containers.
4. Fermented malt beverages will only be served with food.

The council may at any time add conditions to this agreement as it deems necessary for the health, welfare or safety of the community. The council may waive any of these requirements.

(2) *"Class B" liquor license.* Only one (1) "class B" liquor license shall be granted for each 500 population in the city as defined by Wis. Stats. § 125.51(4).

(3) *Exceptions.* Nothing contained in this subsection shall prevent a license being granted to any person or the assignee of any person holding a "class B" liquor license on May 10, 1977; nor shall anything contained in this subsection prevent the council, in its discretion, from granting a license to any person who otherwise qualifies therefor according to Wis. Stats. § 125.51(4)(g), or from granting a class "B" fermented malt beverage license to a bona fide club, as defined in Wis. Stats. § 125.02(4), which has existed in the city for not less than six (6) years and has been incorporated in the state for not less than 30 years, if sale or service of fermented malt beverages is restricted to club members, members of affiliated clubs and guests of either in a separate room which is locked during closing hours and no carryout sales are made.

(4) *"Class C" wine license.* The city council may grant a "class C" wine license, as defined in Wis. Stats. § 125.51(3m), without quota, to any restaurant that will agree in writing to the following conditions:

- a. Sale of wine shall only be by the glass or in an open original container for consumption on the premises where sold.
- b. The person shall be qualified under Wis. Stats. § 125.04(5) for a restaurant in which the sale of alcohol beverages accounts for less than fifty (50%) percent of gross receipts and which does not have a barroom if the city's quota under subsection (d)(2) of this section and Wis. Stats. § 125.51(4) prohibits the city from issuing a "class B" liquor license to that person.



c. The license may not be issued to a foreign corporation, a foreign limited liability company or a person acting as an agent for or in the employ of another.

d. The license shall particularly describe the premises for which it is issued.

The council may not waive at any time any of these requirements as they are by state statute, and the requirements may be amended by state statute from time to time.

(e) *Payment of delinquent taxes, assessments and claims.* No license shall be initially granted or renewed to any person or applicant who, or premises for which, municipal taxes, assessments, or overdue ordinance violation forfeitures due the City are delinquent and unpaid. When this section applies to an initial application for a license, the person or applicant shall be given notice of the intent to not issue the license and an opportunity to rebut the assertion of unpaid obligations. If this section is invoked upon a person or applicant request for renewal, the notice and opportunity for hearing provisions of Section 125.12(3) of the Wisconsin Statutes shall apply.

(f) *Residences not to be licensed.* No license shall be issued for the purpose of possessing, selling or offering for sale any intoxicating liquor or fermented malt beverage in any dwelling house, flat or residential apartment.

(Code 1986, § 12.04(6); Ord. No. 2003-13, § 1, 11-11-2003, Ord. 2006-39)

### **Sec. 6-37. Investigation and inspection.**

(a) The city clerk-~~treasurer~~ shall notify the chief of police, fire chief and building inspector of each application for a license under this division, and those officials shall inspect or cause to be inspected each application and the premises, together with any other investigations, accompanied by a recommendation as to whether a license should be granted or refused.

(b) In determining the suitability of any applicant, consideration shall be given to the financial responsibility of the applicant, the appropriateness of the location and the premises proposed and, generally, the applicant's fitness for the trust to be reposed.

(c) No license shall be renewed without a reinspection of the premises and reports as originally required.

(Code 1986, § 12.04(7))

### **Sec. 6-38. Procedure for issuance.**

(a) *Generally.* Opportunity shall be given by the council to any person to be heard for or against the granting of any license under this division. Upon approval of the application by the council, the city clerk-~~treasurer~~ shall file a receipt showing the payment of the required license fee and issue a license to the applicant.

(b) *Operator's license.* For provisions pertaining to operator's licenses, see section 6-45.

(c) *Picnic license.* For provisions pertaining to picnic licenses, see section 6-44.

(Code 1986, § 12.04(8))

### **Sec. 6-39. Contents.**

All licenses issued under this division shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee.

(Code 1986, § 12.04(9)(a))

### **Sec. 6-40. Loss of rights on abandonment of business.**

Any person holding a class B license under this division who abandons such business shall forfeit any right or preference he may have had to the holding and renewal of such license. The closing of such premises for fifteen (15) days or more shall be prima facie an abandonment.

(Code 1986, § 12.04(9)(b))

**Sec. 6-41. Unlawful use of license; defacing, destroying or removing license.**

No person shall post a license issued under this division or permit any other person to post it upon premises other than those mentioned in the application, or knowingly deface or destroy such license, or remove such license without the consent of the holder thereof.

(Code 1986, § 12.04(11)(a))

**Sec. 6-42. Duplicate license.**

Whenever a license issued under this division is lost or destroyed without fault on the part of the holder or his agent or employee, a duplicate in lieu thereof under the original application shall be issued by the city clerk ~~treasurer~~ on satisfaction given as to the facts and upon payment of a fee as established by the council from time to time by resolution and as set forth in appendix A.

(Code 1986, § 12.04(11)(b))

**Sec. 6-43. Temporary class "B" (picnic) beer license or temporary "class B" (picnic) wine license.**

Picnic licenses may be issued by the council or the public safety committee under Wis. Stats. § 125.26(6). Application therefor shall be filed at least thirty (30) days prior to the date such license is intended to be used, but applications may be accepted within such thirty (30) day period if the applicant agrees in writing to pay the cost of any special meeting of the council or the committee called for the purpose of acting upon such application.

(Code 1986, § 12.04(14))

**Sec. 6-44. Operator's license.**

(a) *Regular.* Application for an operator's license under § 125.17, Wis. Stats., shall state the name, residence, age, birthdate, and sex of the applicant, together with such other pertinent information as the city clerk requires, and shall be issued by the clerk for a period of no longer than two years to the renewal date of June 30, upon approval ~~by the public safety committee.~~

(1) Submitted applications shall be referred by the city clerk to the police department for review and recommendation. The police chief shall review each submitted application and recommended issuance or denial of the license.

(2) The city clerk shall issue a regular operator license to an applicant if the police chief recommends issuance and the applicant is in compliance with all other requirements. The city clerk shall deny issuance of a regular operator license to an applicant when the police chief notes non-recommendation and the reason. If an applicant is a non-recommendation, the city clerk will contact the applicant by phone and or written letter to notify them of the non-recommendation and they must appear before the public safety committee.

(3) The public safety committee will review the application and any recommendations from the police chief. The Public Safety Committee shall decide by majority of those voting whether to grant or deny a license to the application. The Public Safety Committee may attach any conditions and/or limitations to a granted operator license as they deem necessary.

(b) *Provisional license.*

(1) Application for a provisional operator's license under Wis. Stats. § 125.17(5) shall be made to the city clerk ~~treasurer~~ and shall state the name, residence, age, birthdate and sex of the applicant, together with such other pertinent information as the city clerk ~~treasurer~~ requires. The provisional license shall be issued by the city clerk ~~treasurer~~ following approval recommendation by the chief of police, ~~or the chairperson of the public safety committee.~~

(2) A provisional license may be issued only to a person who has applied for an operator's license under this section. The provisional license shall expire sixty (60) days after its issuance or when the operator's license is issued, whichever is sooner.

(3) The public safety committee may revoke the provisional license if it discovers that the holder of the provisional license made a false statement on the application for a provisional license or a regular operator's license.

(4) The provisions of Wis. Stats. § 125.17(5) are hereby adopted in their entirety, and any conflict between this section and that statute as it may exist from time to time shall be resolved in favor of the statutory provision.

(Code 1986, § 12.04(15); Ord. No. 1999-10, § 1, 7-13-1999; Ord. No. 2000-21, § 2, 1-9-2001)

Secs. 6-45--6-60. Reserved.

## DIVISION 2. PERMIT FOR CONSUMPTION IN PUBLIC PARKS<sup>1</sup>

### **Sec. 6-63. Eligibility; application; issuance.**

(a) *Eligibility.* Eligible permit holders under this division are limited to residents of the city or the Evansville School District; persons who own real estate in the city or school district; recognized organizations, including sport leagues, the majority of whose members are residents of the city or school district; or companies having the city or school district as the company's principal place of business.

(b) *Form of application.* Applications shall be in a form determined and provided by the city clerk ~~treasurer~~, to include the name, address, telephone number and date of birth of the applicant, the date for which the permit is desired, and the approximate number of persons in the party. The clerk ~~treasurer~~ may require such additional information about the applicant as the clerk ~~treasurer~~ deems necessary. The permit form shall be as provided by the clerk ~~treasurer~~.

(c) *Filing of application; scope of permit.* Applications shall be made in person by the applicant at least forty-eight (48) hours in advance of the date for which the permit is requested. Organizations may in one application obtain a permit for each event date or league play date, paying the permit fee required for each date. The permit shall extend to all members of the applicant's immediate party of legal drinking age. The permit shall be valid for only one calendar date, which date will be specified thereon.

(d) *Fee.* The fee for each permit shall be as established by the council from time to time by resolution and as set forth in appendix A. The fee shall be payable at the time of application, and is not refundable.

(e) *Issuance.* The clerk ~~treasurer~~ or the deputy shall issue permits according to the requirements of this division, and may refuse to grant a permit if the applicant incompletely or falsely prepares the application or the applicant has violated terms of a permit or alcohol law at any prior time. An organization may have permits for remaining unused dates revoked if there is violation of a prior permit date or any federal, state, county or city alcohol law.

(Ord. No. 1999-5, § 3, 5-11-1999, Ord. 2014-02)

This Ordinance shall be in full force and effect upon passage and publication.

~~Passed and adopted this 11<sup>th</sup> day of February, 2020.~~

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<sup>1</sup> **Cross references:** Parks and recreation, ch. 86.

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William C. Hurtley, Mayor

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~~Judy L. Walton~~ Darnisha Haley, City Clerk

Introduced: 01/14/2020

Adoption: 02/11/2020

Publication: 02/19/2020



# **Evansville Public Safety Police Report**

**February 3rd 2021**

## **Committee Members:**

**Chair Dianne Duggan  
Aldersperson Erika Stuart  
Aldersperson Bill Lathrop**

## **City Representatives:**

**Mayor: William Hurtley  
City Administrator: Vacant  
Prepared by: Chief Patrick Reese  
Virtual Meeting**

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## **Officer Training:**

- Officer Wolf is in the police academy and starting week three this week
- All Officers were recertified in CPR/CCR, thank you to Chief Kessenich w/ EVEMS for arranging and instructing this
- All Officers will be completing training in First Responder Resiliency and Operational Stress happening throughout the month
- Det. Sgt. Rittenhouse and Chief Reese will be attending the mid-winter leadership conference in WI Dells 02/07-02/10
- Officer Johnson is attending training in Osseo WI for Deceptive Behaviors & Hidden Compartments

## **Community Relations:**

- Chief Reese assisted Milton PD with promotional interviews
- Sgt. Rittenhouse is working with BASE on a book reading coming up

## **Monthly Update:**

### Technology/Equipment/Building Update:

- Our water bill was reported to be high this last month. It was determined it was from the need to run water down the drains in the garage. The odor of sewer occurred frequently and we've been instructed to run water down the drains which helps eliminate the odor
- Chief Reese has been working with City Hall staff to get a cleaning company or janitor hired to clean the PD and City Hall. Both buildings are in great need of a deep cleaning. Chief Reese has been doing the majority of the cleaning along w/ Lt. Jones and Jill at the PD since the contract w/ the former cleaning person ended. Our flooring in the squad room is damaged from years of wear and tear and water intrusion and will likely need to be replaced in 2022
- Computer Know How set up 4 laptops. This was funded by a grant that was received. Chief, Lieutenant, and two Sergeants now have their own laptops. Lt. Jones worked with Computer Know How on setting them up so all could remote into the PD in case there were a need



- The 2021 squad car arrived at Kayser Ford. It's been transferred over to General Communications to have equipment installed
- Chief Reese is working with Vinyl Graphics (they do our squad car decals) on new signage for the Police Department lobby and door ways. The current signage is faded or has been removed
- Lt. Jones is working with WatchGuard for install of the body cameras/squad cameras. They are delayed and it's looking like around May for install. Chief Reese submitted paid invoices to Evansville Fund as we won \$7100 on a grant to help with the purchase
- Thank you to Dale and the crew at DPW for coming to help remove the ice and snow from our roof





Police Commission/staffing:

- Both Sergeant Rittenhouse and Reilly have passed their 6 month probationary period. Congratulations to them both

Calls for Service:                      January 2021: 1496      January 2020: 1094

Accreditation:

- Chief Reese has been working on Minocqua PD's CORE assessment review

Notable incidents/calls (by Sgt. Det. Rittenhouse):

- I finished my sexual assault investigation which took approx. 3 months to complete due to tracking down witnesses and interviewing them. During this time, we were down a Sergeant until the middle of November which led to me working alone on second shift. This took many hours to complete including 31 follow-up investigations (additional interviews).
  - a. This included a care house interview.
  - b. Child Protective Services interview.

- c. Partnership with Department of Criminal Investigation for forensic phone analysis
  - d. Cooperation with other Law Enforcement agencies within the State of WI.
- Traffic Stops
    - a. 104 traffic stops total.
    - b. 3 OWI arrests (2 – JR, 1 – JS).
    - c. 3 Drug arrests (1-IR, 1-AJ, 1-AW).
  - Saturday January 16 – (icy roads) Due to training, we had an additional Officer on second shift. This allowed 3 Officers and Sergeant to conduct traffic stops throughout the night. 20 traffic stops total were made, which resulted in 2 citations, 1 drug arrest, and 1 OWI arrest.
  - Hit and Run
    - a. Total of 5 hit and run incidents were investigated, 4 of which resulted in citations to suspect(s).
    - b. 1 Hit and Run stemmed from a road rage incident, which escalated to subjects threatening harm with crow bars. Suspect vehicle was located and a high risk traffic stop was conducted.
  - Armed Subject
    - a. Report of an armed subject at Cenex gas station, which also stemmed from a road rage incident. At the time of the call, the victim did not stay on scene and we were unable to locate the suspect vehicle. Hours went into this investigation pulling video footage from the Cenex and searching city limits for suspect vehicle.
  - Welfare Check
    - a. 12 calls total
    - b. These typically involve an incident where a relative or someone known to a victim has a concern for their well-being, suicidal ideation, or someone who is unable to care for themselves.

Note: Officers have completed training in the event they need to help someone in crisis. Officers do an excellent job of remaining calm, give coping mechanisms, and offering reassurance

Other Concerns/Comments:

- Lobby remains busy with DMV transactions and regular day to day activities
- All Officers who wanted the COVID-19 vaccine received both series of shots
- Creekside is having a drive up market event on 2/11. There will be unopened beer sold via Karben4, a brewery in Madison (Creekside has a license to sell). Chief Reese, Jason Sergeant and Special Agent Lee w/ Alcohol & Tobacco Enforcement (State) discussed. This same event was a successful event for the community last summer